

AO 91 (Rev. 08/09) Criminal Complaint

FILED
RICHARD W. NAGEL
CLERK OF COURT

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

2018 AUG -2 AM 9:25

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV. DAYTON

United States of America

v.

Case No.

3:18mj553

STEPHEN A. BLACKSHEAR, JR.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 31, 2018 in the county of Montgomery in the
Southern District of Ohio, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. §§ 922(g)(1) & 924(a)(2) Felon in possession of a firearm

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.



Complainant's signature

TFO TIMOTHY M. BRAUN, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 8-2-18



Judge's signature

City and state: DAYTON, OHIO

JUDGE WALTER H. RICE U.S. DISTRICT COURT

Printed name and title

AFFIDAVIT

Timothy M. Braun, hereinafter referred to as the “Affiant”, being duly sworn, deposes as follows:

INTRODUCTION

1. Your Affiant is a Task Force Officer with the United States Federal Bureau of Investigation (FBI) within the meaning of 21 U.S.C. § 878. That is, an officer of the United States who is empowered by law to conduct criminal investigations of and to make arrests for offenses enumerated in 21 U.S.C. § 878. The information contained in this Affidavit is either personally known by your Affiant or relayed to him by other law enforcement officers involved in this investigation.
2. Your Affiant is a law enforcement officer and has been employed as such for the past twenty-eight years. Since March 2013, your Affiant has been assigned to the FBI Dayton Field Office as a Task Force Officer (TFO). From April 2003 to 2009, your Affiant was specifically assigned to the Drug Enforcement Administration at the Dayton Resident Office. Since 1996, your Affiant has been employed as a sworn police officer with the City of Dayton, Ohio. Since 1998, your Affiant has been exclusively assigned to the investigation of narcotics and weapons offenses. As such, your Affiant has been involved in narcotics related arrests, executed search warrants that resulted in the seizure of narcotics, participated in undercover narcotics purchases, and supervised the activities of informants who have provided information and assistance resulting in narcotics purchases.
3. This affidavit is made in support of an application for a federal arrest warrant and complaint against **STEPHEN A. BLACKSHEAR, JR.** for being a felon in possession of a firearm in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2). The facts in this affidavit are submitted for the purpose of establishing probable cause, and do not include every fact known to your Affiant.

FACTS

4. On July 31, 2018, at approximately 11:24 p.m., Dayton Police Department (DPD) Officer Zachary Banks was in the area of 1600 Bancroft Place, Dayton, Ohio. Officer Banks was driving a DPD marked cruiser and wearing the issued DPD uniform. Officer Banks pulled his marked cruiser into a parking lot at this location and observed a 2018 Chevy Equinox bearing Ohio registration GVV-4853. The driver of the Equinox was driving in the lot with no headlights, as required by law.
5. Officer Banks was head on with the vehicle and activated his overhead lights to conduct a traffic stop on the vehicle. Instead of stopping, the driver, identified as **STEPHEN A. BLACKSHEAR, JR.**, looked at Officer Banks put the car in reverse and began to back up. While driving in reverse, Officer Banks could see **BLACKSHEAR, JR.** take his right hand and place it behind the front passenger seat. **BLACKSHEAR, JR.** drove in reverse but stopped when he got to a gate and could not drive any further.

6. Due to the actions of **BLACKSHEAR, JR.**, Officer Banks ordered **BLACKSHEAR, JR.** to turn the vehicle off. **BLACKSHEAR, JR.** put his hands out of the driver's window. DPD Officer Vincent Carter arrived and assisted Officer Banks. Officer Banks approached the driver's side of the car and Officer Carter approached the passenger side.
7. Officer Banks made contact with **BLACKSHEAR, JR.** at the driver's window. **BLACKSHEAR, JR.** appeared nervous but provided Officer Banks with his driver's license. **BLACKSHEAR, JR.** told Officer Banks that the vehicle was a rental and was in the name of the Lequana Morrow, who was the front seat passenger in the vehicle.
8. While Officer Banks was speaking with **BLACKSHEAR, JR.**, Officer Carter observed a semi-automatic handgun sitting on the floorboard behind the front passenger seat. After observing this, Officer Carter advised Officer Banks to remove **BLACKSHEAR, JR.** from the vehicle. Officer Carter had **BLACKSHEAR, JR.** exit the vehicle and he was secured. Officer Banks noted that the handgun, a Taurus PT145 Pro .45 caliber, with serial #NAU98188, was pointed towards the passenger side of the car. The positioning of the gun was consistent with the observations Officer Banks made as **BLACKSHEAR, JR.** placed his hand behind the front passenger seat. The Taurus handgun was recovered and found to be loaded with 10 live rounds in the magazine and one live round in the chamber.
9. Based on my training and experience, I am aware that Taurus firearms are not manufactured in the state of Ohio. As such, I conclude that this firearm previously moved in interstate and/or foreign commerce to reach **BLACKSHEAR, JR.** in this state.
10. I have conducted a criminal history records check concerning **STEPHEN A. BLACKSHEAR, JR.** I learned that **BLACKSHEAR, JR.** had been previously convicted of two felonies, which were punishable by a term of imprisonment exceeding one year – (1) namely, on or about January 4, 2008, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2008CR04438, **BLACKSHEAR, JR.** was convicted of two counts of Aggravated Robbery (with a deadly weapon) (F1), in violation of the Ohio Revised Code; and (2) namely, on or about January 2, 2008, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2008CR04018, **BLACKSHEAR, JR.** was convicted of Felonious Assault (deadly weapon) (F2), in violation of the Ohio Revised Code.

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11. Based upon the above information, your Affiant believes that probable cause exists to conclude that on July 31, 2018, in the Southern District of Ohio, **STEPHEN A. BLACKSHEAR, JR.** knowingly possessed, in and affecting interstate commerce, a firearm. Such possession occurring after **BLACKSHEAR, JR.** had been convicted of a felony punishable by a term of imprisonment exceeding one year, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).



Timothy M. Braun, Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me this
2nd ~~th~~ day of August 2018.



JUDGE WALTER H. RICE
UNITED STATES DISTRICT COURT

